

54.  
29-10-2025  
(ct. no.446)  
debajyoti  
(allowed)

### **CRM (M) 1798 of 2025**

**In re:** An application for bail under Section 439 of the Code of Criminal Procedure/483 of the Bhartiya Nagarik Suraksha Sanhita in connection with Halisahar Police Station Case No.288 of 2024 dated 28-10-2024 under Sections 103(1)/3(5) of the Bharatiya Nyaya Sanhita, 2023.

- A n d -

**In the matter of : Kanai Chowdhury**

.... Petitioner.

Mr. Anjan Bhattacharya,  
Ms. Anita Shaw,  
Ms. Seema Thakur

... For the Petitioner.

Ms. Manisha Sharma,  
Mr. Debanshu Ghorai

... For the State.

1. Affidavit-of-Service filed in Court today be taken on record.
2. Submission advanced on behalf of the petitioner is that the petitioner is in custody for about 367 days. The petitioner prays for bail on the ground of prolong detention . It is further submitted that one of the co-accused is also enlarged on bail by a coordinate Bench of this Court.
3. Learned counsel for the State opposes the prayer for bail and submits his earlier bail prayer has been rejected considering his role attributed.
4. Heard submissions of both the learned advocates. Perused the materials in the Case Diary and the record and also the fact that the co-accused person released on bail is a lady. However, on a careful perusal of the statements made by the witnesses and the contents of the FIR, no direct

allegation act can be found against the present petitioner . Considering the period of detention which is about 367 days and the fact that charge has been framed and evidence of only CSW 1 has been fixed which shows remote possibility of early conclusion of the trial, this Court is of the view that the prayer of the petitioner for bail can be allowed.

5. Accordingly, the petitioner be released on bail on the following conditions.

- a) The petitioner, namely, **Kanai Chowdhury**, shall be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand), with two sureties of like amount each, one of whom must be local, to the satisfaction of learned Additional Chief Judicial Magistrate, Barrackpore, North 24 Parganas.
- b) The petitioner shall appear before the learned trial Court on every date of hearing fixed by the learned trial Court and shall not intimidate the witnesses and/or tamper with evidence in any manner whatsoever and shall not commit any cognizable offence in any manner whatsoever.
- c) The petitioner shall appear before the Officer-in-Charge/Inspector-in-Charge of the local police station once in a week, until further orders.

6. In the event the petitioner fails to comply with any of the conditions stipulated above, the trial Court shall be at liberty to cancel the bail in accordance with law without further reference to this Court.

7. The application for bail is, thus, **allowed**.

8. The memo of evidence handed over on behalf of the prosecution be taken on record.

9. All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

10. Criminal Section is directed to supply certified copies of this order to the parties, if applied for, upon compliance of all necessary formalities.

**[Chaitali Chatterjee (Das), J.]**